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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

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ADVANCE MAGAZINE PUBLISHERS INC.	:	
d/b/a THE CONDÉ NAST PUBLICATIONS,	:	Civil Action No.:
	:	1:05-cv-07516 (KMK)(DFE)
	:	
	:	MEMORANDUM OF LAW
Plaintiff,	:	IN SUPPORT OF ADMISSIONS
	:	<i>PRO HAC VICE</i>
v.	:	
	:	
ACTIV8NOW, LLC and ACTIVE8MEDIA, LLC	:	FILED ELECTRONICALLY
	:	
Defendants.	:	
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Defendants Activ8now, LLC and Active8media, LLC, submit this memorandum of law in support of their motion to admit T. Hunter Jefferson, Deborah A. Heineman and Dale Lischer to the bar of this Court *pro hac vice*.

T. Hunter Jefferson, Deborah A. Heineman and Dale Lischer are attorneys in practice with the law firm of Smith, Gambrell & Russell, LLP, 1230 Peachtree Street, N.E., Atlanta, Georgia. None of them has ever been denied admission to, or disciplined by, any court.

T. Hunter Jefferson is admitted to, and is a member in good standing with, the State Bar of Georgia. He is admitted to the United States District Courts for the Northern District of Georgia, Middle District of Georgia, and the Eastern District of Michigan. T. Hunter Jefferson

has reviewed and familiarized himself with the Local Rules of the Southern District of New York, as well as this Court's Individual Practices.

Deborah A. Heineman is admitted to, and is a member in good standing with, the State Bar of Georgia. She is admitted to the United States District Courts for the Northern District of Georgia and the Middle District of Georgia. Deborah A. Heineman has reviewed and familiarized herself with the Local Rules of the Southern District of New York, as well as this Court's Individual Practices.

Dale Lischer is admitted to, and a member in good standing with, the State Bars of Georgia and Illinois. He is also admitted to the United States District Court for the Northern District of Georgia and the Court of Appeals for Federal Circuit. Dale Lischer has reviewed and familiarized himself with the Local Rules of the Southern District of New York, as well as this Court's Individual Practices.

Pursuant to Southern District Local Rule 1.3(c), this Court may, upon motion, admit attorneys to practice *pro hac vice*. T. Hunter Jefferson, Deborah A. Heineman and Dale Lischer are familiar with the facts and circumstances of this case and, if admitted, will serve as lead trial counsel in this matter. Defendants further believe that this matter will be conducted most efficiently if applicants are permitted to appear *pro hac vice*.

Counsel for Plaintiff, Richard Moss, has received defendants' motion for admission *pro hac vice*, and has stated that he has no objection to the admissions of Mr. Jefferson, Ms. Heineman, and Mr. Lischer *pro hac vice*.

In light of applicants' qualifications and the lack of objection from plaintiff's counsel, defendants respectfully request that their motion be granted, and T. Hunter Jefferson, Deborah A. Heineman and Dale Lischer be admitted to practice *pro hac vice*.

Dated: October 6, 2005
New York, New York

Respectfully submitted,

NIEHAUS LLP

s/ Paul R. Niehaus
Paul R. Niehaus